

**BEDFORD PLANNING BOARD**  
**Town Hall Multipurpose Room**  
**Minutes**  
**September 27, 2016**

**MEMBERS PRESENT:** Jeffrey Cohen, Chair; Sandra Hackman; Shawn Hanegan; Amy Lloyd; Lisa Mustapich, Clerk

**STAFF PRESENT:** Tony Fields, Director of Planning; Catherine Perry, Assistant Planner; Kim Siebert, Recording Secretary

**OTHERS PRESENT:** David Bernstein, 21 Alaska Ave; Aaron Bourret, 8 Glen Ora Dr; Joan Bowen, 11 Fox Run Rd; Carolyn Carbone, 38 Buehler Rd; Melinda Dietrich (BARC), 19 Notre Dame; Brian DeVellis, 41 North Rd; Rosemary Dyer, 4 Fox Run Rd; Caroline Fedele, 155 Bagley Ave; Al Granada, 17 Fox Run Rd; Susan Grieb, 26 Fox Run Rd; Gail Hartwell, 35 Elmbrook Rd; Ira Holtzman, 32 Fox Run Rd; Margot Holtzman, 32 Fox Run Rd; Roberta Jaffer, 33 Buehler Rd; Brenda Kelly, 25 Fox Run Rd; Annalisa Madison, 29 Fox Run Road; Richard Madison, 29 Fox Run Rd; Karen Moore, 10 Copeland Dr; Alan Nelson, 25 Fox Run Rd; Michelle Puntillo, 251 Old Billerica Rd; David Powell, FinCom liaison; Eliza Rosenberry, reporter for The Bedford Citizen; Keenan Ross, 2 Fox Run Rd; Lowell Stern, 13 Fox Run Rd; Jeff Venuti, 1 Fox Run Rd; Gerry Wolcox, 29 Kendall Ct.; Annemarie Weicker, 27 Fox Run Rd; Jean Weicker, 27 Fox Run Rd; Yiwen Zhang, 12 Fox Run Rd.

The Emergency Evacuation notice was read by Lisa Mustapich, Clerk

*Note: All meeting submittals are available for review in the Planning Office.*

**MINUTES:** On a motion from Ms. Mustapich and a second from Ms. Lloyd, the minutes of September 13, 2013 were approved 4-0-1 with minor edits. Ms. Hackman abstained due to absence.

**BUSINESS ITEMS:** Plan signing for Evergreen Meadows Planning Residential Development (PRD).

This action was again postponed because the signing materials have not been delivered. Ms. Perry said a variety of circumstances on the developer's end have resulted in delays.

**REPORTS/DEVELOPMENT UPDATE:**

Questions/Comments on Development Update (verbal, non-deliberative):

- Ms. Perry said the Bedford Woods Office Park is planning to submit its definitive subdivision plan within the mandated timeframe that concludes in late November.
- There will be a medical marijuana moratorium public hearing at the Planning Board's October 11 meeting, starting at 7:30PM.
- Planning staff will attend FinCom's meeting on Sept.29 to go over STM zoning amendment articles.

- Crosby Corp Center IMU special permit—master planned redevelopment is now scheduled for October 25 at 8:00PM.

Reports of Planning Board liaisons to boards/committees:

Transportation Advisory Committee: Mr. Hanegan reported that the Selectmen have awarded design contracts for two intersections: North Rd/Pine Hill and North Rd/Chelmsford Rd (Renzo's corner). Public input will be gathered for these projects during the winter and construction is optimistically anticipated during spring/summer. "From what I understand, everything is on the table from roundabouts to traffic lights," Mr. Hanegan said about the Renzo's intersection.

Ms. Hackman asked if the North Rd/Pine Hill intersection work could include the almost-finished sidewalk connection between the two streets. Mr. Hanegan said he would carry that input back to the design meetings.

Community Preservation Committee: Mr. Hanegan reported there are only three CPC articles for this STM: the annual re-authorization request for the 3% surcharge plus two project-funding initiatives: continuation of the "Bedford Housing Authority Life Management Program"; and "Pre-Development Funding for Expiring Use Expert". The public hearing for these articles is scheduled for Wednesday, September 28.

Approval of the "Bedford Housing Authority Life Management Program" article would extend funding for the life skills support program for public housing residents. The program provides training and support to help families and individuals move up and out of subsidized housing. From the Housing Partnership Committee, Ms. Mustapich reported that two families have successfully exited public housing in the years already funded. She said the training/support includes basic adult education, post-secondary training, career readiness, financial literacy, good tenant communication, community participation and job training referrals.

"Pre-Development Funding for Expiring Use Expert" would hire a consultant to help the Town retain as affordable the 96 units of Bedford Village. The current agreement expires in 2018 at which time the landlord becomes free to change the status of the property. Ms. Mustapich said the Housing Partnership hopes the current owner will either re-finance his debt on the property or sell to another party whose mortgage approval would hinge on keeping the housing affordable. Ms. Mustapich explained: "The affordability laws are not as generous as they were when the development was originally built. Some units are now at 50% affordability, some are at 80%. The Partnership is not only interested in maintaining the affordability status of the Village but also the tiers of affordability. This is a huge demographic of the town that could be forced out [if the status of the property changes.]"

Ms. Hackman noted that the Planning Board traditionally supports Community Preservation because funding helps accomplish Comprehensive Plan goals. Members agreed that making a public statement of support at Town Meeting was advisable, although there is no sense the voters have lost enthusiasm for CP. Ms. Hackman said that the State matching funds are expected to be lower this year. The Legislature is trying to find a way to increase the match but the question is not yet resolved.

Resident Roberta Jaffer, 33 Buehler Rd, asked for a status update on the Coast Guard housing on Pine Hill Rd. Ms. Mustapich, as liaison to the Housing Partnership, said the matter is still being discussed in executive session so details of the potential purchase are not now public. However, she was able to report that momentum is still forward-moving, although the federal government's response time can be slow. She explained that the Town's intention is to purchase the property and then sell it to an RFP-vetted developer whose vision for the property reflects the Town's goals.

Housing Partnership: Ms. Mustapich reported that the Partnership has been working on a program in which developers could contribute funds to a Housing Trust to be used for affordable housing. This contribution would be in addition to, not in lieu of, the requirement to set aside a specified quota of affordable units in applicable developments. One developer recently put \$100,000 into the trust. A memo to the Planning Board from the Partnership about this initiative is expected within the coming months. In addition, the Partnership will seek assistance from Planning and the ZBA to establish parameters for how to address developers who do not follow affordable housing-related protocols.

Selectmen: Ms. Lloyd said the Selectmen reviewed the warrant articles but did not yet vote on those being put forward by the Planning Board.

Chamber of Commerce: Mr. Cohen reported that the Chamber has asked the Planning Board to help spread the word about a survey seeking public input re: demand for retail and other businesses. The survey can be accessed on either the Chamber's website or the Town's website. The Chamber wants to gather input in October and issue a final report in November. This effort is separate from the Planning Board's upcoming Great Road Business Zoning initiative.

Mr. Cohen said the Chamber is also holding a "Stuff the Truck" event for an organization called "Christmas in the City." Used household good and toys in good condition can be dropped off at the upcoming DPW recycling event on Oct. 1, from 9-12:00.

Ms. Lloyd asked Ms. Perry to include a placeholder in the department's upcoming budget request to hire someone to re-type the zoning bylaws using a more up-to-date software format.

**DEVELOPMENT PERMITTING: 614 and 616 Springs Road and 10 Green Street (land off Fox Run and Buehler Roads): Continuation of Public Hearing to review Planned Residential Development under Zoning Bylaw Section 9 and Subdivision Rules and Regulations**

Materials submitted by the developer include: 1 conceptual plan drawing of possible 4-unit conventional housing layout for land off Fox Run Rd plus 1 aerial rendition of same; 1 conceptual plan drawing of so-called "hybrid" 5-unit PRD layout for land off Fox Run plus 1 aerial rendition of same; 1 conceptual plan drawing for 2-house PRD portion off Buehler Rd. plus 1 aerial rendition of same; letter to Jeff Cohen, Planning Chair, from Brian DeVellis describing the details of the hybrid proposal; attendance list from neighborhood meeting dated Tuesday, September 13, 2016 from DeVellis Consulting Group.

Materials from Town departments/committees: Memo from Catherine Perry, Assistant Planner to Planning Board dated Sept 23, 2016 Subject: Springs Road (Fox Run and Buehler) PRD:

Revised conceptual plans submitted for 3<sup>rd</sup> hearing session; letter from Captain Stone, Fire Department dated September 1, 2016 Subject: Fox Run Road Development; list from Bedford Arbor Resource Committee (BARC) re: TREES: recommended re: PRD Springs Road, Bedford.

Other materials in hand: email communication between BARC chair Jaci Edwards and Catherine Perry, dated Monday, Sept 12, 2016, Subject: PRD Springs Road—Buehler BARC COMMENTS; email between BARC chair Jaci Edwards and Catherine Perry, dated Thursday, Sept 22, 2016, Subject: tree/berm Q, pt 2; letter from Karen L. Moore to Bedford Planning Board, dated Sept 9, 2016; email between Annalisa Madison and Planning Admin. Assistant Cathy Silvestrone, dated Sunday, Sept 25, 2016, Subject: Fox Run Road Planned Residential Development; email between Pat Byrne and Cathy Silvestrone dated Monday, Sept 26, 2016; Subject: Fox Run Road Development—Conventional not PRD; email from Susan Grieb to Cathy Silvestrone with multiple CC recipients dated Monday, Sept. 26, 2016, Subject: Questions about the Fox Run and Buehler road developments; email between Margot Holtzman and Cathy Silvestrone dated Monday, Sept. 26, 2016, Subject: Fox Run Housing Development; email between Alan Nelson and Cathy Silvestrone, dated Monday Sept. 26, 2016 Subject: Fox Run Housing Development.

Mr. Cohen reconvened the public hearing at 8:00pm and asked Mr. DeVellis to describe the latest iteration of the proposal, the so-called “hybrid” model. Mr. Cohen emphasized that the focus of the hearing would be these most recent plans.

Mr. DeVellis summarized the changes the development has undergone to date in response to Board and neighborhood input. The new hybrid PRD plan includes 7 total units—5 off Fox Run/2 off Buehler— with the public benefit of open space but no affordable units if the Board determines the existing house should be torn down. Mr. DeVellis said the hybrid plan represents the best compromise between By Right/conventional and the original higher-density PRD.

Adhering to the letter of PRD guidelines that require the housing to be in mixed types of building, Mr. DeVellis originally included one duplex unit but the neighborhood reaction was negative since there are no other nearby houses of that type. Mr. DeVellis expressed the opinion that having a duplex in this instance doesn’t make sense. The latest plan shows all detached units but Mr. DeVellis said that he would defer to the Board’s judgement.

Mr. DeVellis also moved the position and angle of the new road so that headlights from cars exiting on to Fox Run would not aim directly at the houses across the street. The neighbors favored that change.

While there are now fewer houses on the Fox Run end of the development, the floor area for each has grown to 3,200-3,400 sq. ft. on 11,000 sq. ft. lots with 5,000 sq. ft. per lot specified as exclusive-use and the remainder held as space that would be included in the scope of land maintained by the Home Owners’ Association. Landscape buffering between the new housing and the surrounding neighborhood is still planned.

Staff and Board questions: Ms. Perry said the arrangement of exclusive use and common land as described above is unusual. She asked for clarification because, although there have been previous cases where the landscape buffer was within the house lots, the designated Common

Open Space should be separate from them. Mr. DeVellis said that for marketing purposes, the properties will be sold as 11,000 sq. ft. with a kind of easement access through each. This allows residents to pass behind the homes without seeking permission.

Ms. Mustapich noted that in at least one lot, the exclusive ownership rear property line is extremely close to the proposed building, precluding the possibility of a deck or dog fence. Mr. DeVellis confirmed this would indeed be the case for this unit.

Ms. Hackman noted that the houses in the previous Fox Run cluster were 2,100 sq. ft. and in the hybrid version they are 3,200 sq. ft. Mr. DeVellis confirmed that the size had increased and added that the cost would be “significantly higher” than the former estimate of \$800,000, although he declined to name a price. He said the cost of building the roads and other features would be the same, no matter how many units are ultimately built.

On the subject of the existing house, Ms. Mustapich voiced concern about accepting it as affordable because, as it is, it could represent a financial hardship for a low-income owner. Mr. DeVellis said that Developer David Bernstein accompanied a home inspector on a tour of the existing house and concluded that, with minor upgrades, it would not be a burden.

Ms. Mustapich asked if Mr. DeVellis would consider preserving the current natural landscape and marketing the Fox Run homes as “wooded properties.” Mr. DeVellis said he’d met with the Bedford Arbor Resource Committee and agreed with them that the property should remain as wooded as is safely possible.

Ms. Mustapich asked if the road pavement could be minimized for the cluster off Fox Run. Mr. DeVellis replied, “If we could do a T instead of a circle— and the Fire Department would change their mind—that would be great.”

Ms. Mustapich asked if the houses off Fox Run could be hooked up to utility company gas lines instead of using underground propane tanks. Mr. Bernstein clarified that only the houses off Buehler would have underground tanks. The Fox Run homes would be connected to gas lines.

Ms. Mustapich asked Ms. Perry for her comments on how to maintain the cozy, intimate, New England village feeling of the current neighborhood. “Does this PRD meet the letter and spirit of the PRD even though there are two, distinct accesses and they are geographically separate with a common area in between?”

Ms. Perry replied that she and former Planning Director Glenn Garber hadn’t seen any technical reasons why the land parcels could not be combined to create a large enough tract size for a PRD. “The issue is whether you like the layout, whether you think it works. There is a walking trail connection between the two parts via the rail trail, a potential stopping place park and better protection for the wetlands than under a conventional [development],” Ms. Perry said.

Mr. Hanegan asked if Mr. DeVellis wanted direction from the Board at this point or if he was looking for approval without details such as revised drainage systems, school-age children calculations, landscaping plans etc. Mr. DeVellis confirmed he was seeking guidance before preparing further detailed plans, and asked for a “straw poll” about what members did and didn’t like about the hybrid plan.

Mr. Hanegan asked Mr. DeVellis to talk about one particular difference between the conventional plan and the hybrid PRD: the location of the intersection of the new road and Fox Run. Mr. DeVellis said, in the conventional scenario, the new road must intersect with Fox Run directly across from the Madison's home at # 29 because "it allows us to get four houses by-right with no waivers; unfortunately, it also puts the cul-de-sac and one house right against the property line. But that's what you're allowed to do, by right."

Mr. Hanegan asked how the developer would comply with the PRD requirements that specify the need for a mixture of housing types. Mr. DeVellis replied that he could put the duplex back into the Fox Run plan but the neighborhood didn't like it and he didn't think it made sense to include it. He suggested that the Board could vote to waive that requirement if they otherwise preferred the hybrid.

Ms. Hackman asked if the duplex prices would be lower per unit than the free-standing units. Mr. DeVellis said they probably would not.

Ms. Lloyd asked about the orientation of the Buehler houses. With water flow a concern, could Mr. DeVellis make them parallel to the contour lines of the parcel to minimize cut and fill? Mr. DeVellis said he would look at that but he fears the result would be the opposite of what Ms. Lloyd intends.

Public comments: Rosemary Dyer, 4 Fox Run Rd, spoke about a letter she sent earlier to the Board in which she spelled out a number of concerns with the development. They included: the inaccuracy of analyzing wetland and flooding during a drought; getting a guaranty or bond from the developer in case flooding on current properties worsens; installing sump pumps in the new houses.

Mr. Cohen and Ms. Lloyd said that the Conservation Commission oversees the wetland resource delineation and the location of wetlands is determined by vegetation rather than the presence of water at a given time. Mr. DeVellis said that Conservation has walked the land. Also there is no flood plain on the property according to FEMA maps.

Annemarie Weicker, 27 Fox Run Rd, said her property is at the lowest elevation in the area and most affected by flooding. Additionally, she is across the street from the intersection of the proposed new road under the conventional option and concerned about headlights flashing through her house as well as increased street noise. She believes property values will go down due to the new development and that additional homes would have a negative effect on already poor water pressure.

Finally, Ms. Weicker said she is 100% for the hybrid PRD as opposed to the conventional option.

Mr. DeVellis stated that the slope of land—whether a PRD or conventional development is built on it—goes away from Fox Run, down toward the wetlands.

Roberta Jaffer, 33 Buehler Road, asked how many homes would be off of Buehler. Mr. DeVellis said that, in either scenario—PRD or conventional—there would be two. Ms. Jaffer asked how she could make a decision about what she prefers with no details of how the houses will look.

Ms. Mustapich said that the developer is merely presenting “broad concept” plans at the moment in order to receive direction. Details would be provided at a later date once the larger question of development model is answered.

Richard Madison, 29 Fox Run Road, said he is leaning toward the 7 house PRD model but he still has several concerns. After his questions of frontage were posed and deferred for further investigation, Mr. Madison asked that fence location be sensitive to deer migration. He asked whether the Board prefers to keep or tear down the existing house on Springs Road. If torn down, he urged that the lot be replanted with trees. He added that he hoped owners of the new homes would be obligated to retain trees in their wooded lots. Mr. Madison prefers not to have the duplex in the development.

Annalisa Madison, 29 Fox Run Road, said she prefers the PRD and she would not want the development to have more units than now proposed. She also prefers tearing down the existing house on Springs Road because she wants to look out her window on unbuilt land and trees as much as possible. Ms. Madison added she is dismayed by the construction of a house to the north of her own— across the town line in Billerica—because the builder clear-cut the lot.

Susan Grieb, 26 Fox Run Road, said she prefers the PRD but has concerns about the small size of the exclusive-use lot areas. People will encroach on land that is intended for common use by adding sheds and outbuildings and the feel of the built environment will become crowded.

Mr. DeVellis said the deeds would include restrictions to prevent this. Mr. Cohen said that neighborhoods tend to be self-policing and, if that fails, the HOA and Code Enforcement offer additional leverage.

Jeff Venuti, 1 Fox Run Road, said the 5-2 hybrid option is a significant improvement over the previous plan and the By-Right proposal. He said he didn’t think people would use the proposed “bench area” or small park but he sees the value of the open space, trees, and access to the bike path. With the intersection of Springs and Fox Run already busy and dangerous, he asked that a safer location for an access trail be found. The “paper street” across from Glen Ora might be a good alternative but the ownership of the property is in question. Mr. DeVellis said he’s done a title search to no avail but he can confirm that no one has been paying taxes on the property. He suggested the Town would be better able than he to initiate an eminent domain “taking.”

Margot Holtzman, 32 Fox Run Road, said she prefers the hybrid PRD since a conventional subdivision would offer no protection and distance for her as an abutter. She asked that the Board consider a bond to protect current residents of Fox Run in case assurances about flooding turn out not to be accurate.

Brenda Kelly, 25 Fox Run Road, prefers the hybrid but shares concerns about worsened flooding. Additionally, having served on the Conservation Commission, Ms. Kelly knows that land owners don’t always follow prohibitions about tree cutting. She asked the Board to consider Ms. Mustapich’s suggestion to legally restrict tree removal. On the subject of low water pressure, Ms. Kelly asked for the Board to explain how additional houses won’t exacerbate the problem.

Mr. Cohen addressed the question of low water pressure saying the developer had a water analysis done that was reviewed by the DPW. It was determined that additional houses would

have a de minimis impact on water pressure. The Town is aware of the problem but, as far as Mr. Cohen knows, does not have a plan to address it.

Aaron Bourret, 8 Glen Ora Drive, asked if the lots would be clear-cut in a By-Right scenario. Mr. DeVellis said there would be no prohibition about clear-cutting and even if he didn't do it, the new homeowners could. Mr. Bourret said, in that case, he likes the PRD better and also prefers to keep the existing home as affordable. He prefers all the Fox Run homes be single-family units and agrees with Mr. Venuti that the bike trail access should be moved away from the Springs Road intersection.

Keenan Ross, 2 Fox Run Road, said he preferred the PRD model.

Caroline Carbone, 38 Buehler Road, is a primary abutter to the proposed houses off of Buehler. She prefers the PRD because she wants the protection buffers that option would provide. She expressed concern about trees leaning toward her house and potentially compromised root systems that might endanger her home and property and she asked for an on-site meeting to discuss landscaping. As for house orientations Ms. Lloyd spoke of, she said her own home is unconventionally oriented and she doesn't want the new homes to be sited in a way that would infringe on her sense of privacy.

Karen Moore, 10 Copeland Drive, said she would like to see the driveway for the Buehler houses pushed away from Ms. Carbone's house. She added that the traffic on Springs Road is already "ridiculous" and the development would bring additional cars.

Michelle Puntillo, ZBA, said that her board has seen a number of homeowner petitions to build decks that can't be allowed because of zoning setbacks. She cautioned that the PRD, as currently designed, would present similar problems.

Planning Board Straw Poll and Comments: Mr. Cohen asked members to give their opinion on the plan as presented in order to provide direction to the developer.

Mr. Hanegan says he sees that the hybrid PRD has more support than the conventional plan that seemed to prevail at the last meeting. However, he emphasized the necessity for the developer to provide detailed plans in order to receive approval for the project.

Mr. Hackman agreed with the PRD preference but expressed a desire for smaller homes than the current 3,200 sq. ft. proposed. She would like to retain the existing house and have it be accepted as affordable. She cautioned about berm plantings, saying they were not always a good idea in the long term and that BARC should be consulted. Ms. Hackman said the trail connection is very important and that the small park proposed could be appealing.

Ms. Hackman also tried to correct a possible misunderstanding about drainage, saying that, "by definition, 100% of the rain/snow fall has to be recharged to the wetlands. The peak runoff is where you're going to have your margin of protection, where you're doing more than is legally required to make sure that during the peak part of the event, you don't have overflow. That's what we'll be looking at and I feel confident we'll be able to solve that problem." On the subject of the new road turnaround, Ms. Hackman said she definitely prefers a T design over a cul-de-sac, with the reduction in the number of houses.



Ms. Lloyd also prefers to see smaller homes than the ones now proposed, saying that 3,200 sq. ft. is larger than much of the surrounding neighborhood. “If you were to keep these 2,000- 2,200 sq. ft., it would be in keeping with the neighborhood and it would be an alternative type of housing in Bedford from what is being built today, satisfying two needs at once.”

Ms. Lloyd is comfortable giving a waiver for a T turnaround and not requiring the attached housing/ duplex if possible. With the cul-de-sac out of the way, she hopes the layout of the houses will be reconfigured to have more backyard space and perhaps planned with a patio/deck to preclude requests to add them. She would like the HOA to maintain the buffer and asked if it would be a problem to market the lots as smaller with more common open space. She asked if the houses could be designed as 1 ½ story homes that would “nestle into the landscape.” She asked that the garages be recessed or turned so the open doors would not face the street. “It makes a difference whether a house signifies that it’s for people or for cars.”

As for Buehler, Ms. Lloyd said the proposed 4,000 sq. ft. size is not so different from the houses adjacent. She also prefers to keep the existing house on Springs Road as affordable. She would be comfortable not having the small park if everything else she wants is in place.

Ms. Mustapich said she is leaning toward the PRD. She hopes and expects to see no clear-cutting and the natural setting preserved. She would like the developer to share the proposed HOA covenants to enforce no further tree cutting. She is agreeable to the idea of omitting the duplex and is ok with the proposed 3,200 square foot house size, even though smaller would also be fine. She likes the idea of garages on the side and pointed out that this can give the illusion of a bigger house. She agrees with a T turnaround instead of a cul-de-sac and agrees with keeping the existing home if it is accepted by the Housing Partnership.

Mr. Cohen said he is for the PRD, the T turnaround, keeping the existing house, and omitting the duplex. He thanked the developer for his efforts and added he has seen Mr. Bernstein’s constructions around town and is confident this development will ultimately be high quality.

Mr. Cohen explained some of the thinking behind his preferences and said that the PRD provides better protection for the wetlands than a clear-cut conventional subdivision would. He doesn’t believe the trail access would draw additional people to the neighborhood; the access is mainly a benefit for residents.

Addressing the question of a guaranty or bond to cover any stormwater impacts on neighbors, Mr. Cohen questioned whether residents had kept records of past storm events and corresponding levels of basement flooding. Absent such records, he questioned how future post-development basement flooding compared to past conditions, and how it would be determined that the new development was the cause and further questioned whether it would be legally tenable.

It was agreed that Mr. DeVellis will return for a brief continuation of the public meeting (more of a status update) on October 11. Mr. Cohen cautioned there would not be time for significant public input until a further continuation on November 15 at which Mr. DeVellis will present fully engineered plans.

Ms. Mustapich told Mr. DeVellis that he can bring information about the existing house to the

Housing Partnership meeting on October 13.

Mr. Cohen thanked those present and said the Board had more business to conduct once the public hearing was closed.

Motion: Ms. Mustapich moved to continue the public hearing to October 11, 2016. Ms. Lloyd seconded. The motion passed, 5-0-0.

### **OPEN DISCUSSION:**

The previously scheduled November 22 Planning Board meeting will be cancelled in favor of adding a meeting on November 15<sup>th</sup> to continue the Fox Run/Buehler public hearing.

Because of the amount of neighborhood concern as a result of the proposed Fox Run/Buehler development, Board members have received an unusual number of sometimes-heated phone calls and correspondence. Concern about how best to manage such a deluge led to an exchange of strategies and thoughts about establishing a policy.

Discussing matters outside of an open meeting presents potential problems with open meeting law compliance. However, Mr. Cohen said, as an elected official, he is open to listening to people express their concerns/opinions. If he does respond, he is careful not to get into specifics but to speak instead about “philosophies.” He is not sure that a policy is warranted.

Ms. Mustapich agreed that being contacted by the public as an elected official is appropriate. Ms. Perry recommended advising people to make their comments at public hearings or in writing. Ms. Hackman and Mr. Hanegan were concerned that people wanted them to carry their verbally delivered thoughts back to the Board. Mr. Hanegan said that residents should be asked to put any new information in writing. He added he had never been lobbied this much before about any other development, but understood this is part of being an elected official.

Mr. Cohen said, in general, there was a lack of understanding of process and that people were suspicious the Board was making behind-closed-door decisions.

Ms. Lloyd said she didn’t mind being called at home but she was unhappy to realize her cell number had been given out without her permission.

Mr. Fields said that he recommends a protocol by which residents go through Planning staff to leave requests for Board members to return their calls. He also recommends that members encourage residents to attend Planning Meetings.

On the subject of the Great Road Zoning Project, a consultant—RKG Associates-- has been selected. The first meeting is October 19 at 11 a.m. to introduce the project team to Town staff and then tour the Great Road study area. Ms. Lloyd and Mr. Hanegan will attend and other members were encouraged as well, although the meeting would then have to be posted due to quorum rules.

Mr. Fields noted that RKG was one of only two proposers but the proposals were of high quality and the price bids were identical. The RKG team includes several other well-respected experts as well as assistance from the planning arm of the BSC Group.

Mr. Cohen asked if it's too much to expect to have zoning ready to go for Annual Town Meeting 2018. Mr. Fields confirmed that date as the goal. Mr. Hanegan said he was impressed that RKG added a task the Town hadn't asked for that would provide implementation support after Town Meeting.

Ms. Hackman has registered to attend the annual State transportation conference called "Moving Together." She asked if there are funds to reimburse her for the expense. Ms. Perry said this was possible. Mr. Cohen said the Board should make sure funding is available for this sort of professional development.

**ADJOURNMENT:** At 10:15 PM, Ms. Lloyd motioned to adjourn and Mr. Hanegan seconded. The motion passed 5-0-0.

Respectfully submitted,

Kim Siebert  
Recording Secretary